



**MINUTES  
DEVILS LAKE WATER IMPROVEMENT DISTRICT  
REGULAR MEETING**

**LINCOLN CITY COUNCIL CHAMBERS  
June 11, 2015  
6:00 P.M.**

**PRESENT:** Brian Green, chairman  
David Skirvin  
Kip Ward  
Randy Weldon  
Kent Norris

**ABSENT:** None

**PUBLIC SPEAKERS:** Pat Dooling

**STAFF:** Paul Robertson, Lake Manager

**(Video: 0:00)**

Chairman Brian Green convened the meeting at 6:02 p.m.

**I. ROLL CALL**

Four directors present. Kip Ward arrived late.

**II. CONSENT AGENDA**

**David Skirvin moved to approve the consent agenda, including the minutes and financial report of the May 2015 meeting. Green seconded. Unanimous vote in favor.**

**III. Budget Hearing**

**a. Budget Committee Recommendation**

SEE RECOMMENDED BUDGET:

[http://www.dlwid.org/Financials/2015-2016/Budget\\_2015-2016\\_BC.pdf](http://www.dlwid.org/Financials/2015-2016/Budget_2015-2016_BC.pdf)

SEE BUDGET PRESENTATION

[http://www.dlwid.org/Meetings/FY\\_2014-2015/Presentation\\_2015-06-11\\_Budget\\_Hearing.pdf](http://www.dlwid.org/Meetings/FY_2014-2015/Presentation_2015-06-11_Budget_Hearing.pdf)

Lake Manager Paul Robertson presented the budget as approved by the Budget Committee on May 15, 2015. He reviewed the budget process, budget goals, priorities, programs and activities, fund status and history, current assets, forecast, fiscal year 2015-2016 plan. Approved budget for fiscal 2015-2016 totals \$1,239,029. Robertson reviewed \$442,732 General Fund resources and requirements; and \$786,297 Improvement Fund resources and requirements.

**b. Board of Directors Questions and Comments**

None

**c. Public Comment on Budget**

None

**d. Board Discussion**

None

**e. Budget Adoption and Resolutions**

**Green moved to adopt the budget as proposed. Skirvin seconded. Unanimous vote in favor.**

Green explained that by adopting the budget, the Board was approving three written resolutions.

Resolution 2015-03

Adopting the Budget

Be it resolved that the Board of Directors of the Devils Lake Water Improvement District hereby adopts the budget for the fiscal year 2015-2016 in the sum of \$1,239,029 now on file at the District's offices located at Oregon Coast Community College, 3788 SE High School Drive, Lincoln City, Oregon.

**Green moved that the Board appropriate the monies outlined by Paul in the General Fund and the Improvement Fund and the Non-Appropriated Budget Requirement item and the total Non-Appropriated Funds. Skirvin seconded, Unanimous vote in favor**

Resolution 2015-04

Resolution Making Appropriations

Be it resolved that the Board of Directors of the Devils Lake Water Improvement District hereby appropriates the following monies for the fiscal year 2015-2016 for the amounts and purposes shown below *[see Staff Report for detailed account]*:

General Fund: \$342,732

Improvement Fund: \$719,073

Non-Appropriated Funds: \$177,224

**Green moved to impose the tax provided in the adopted budget at the rate of 0.2499 per thousand of assessed value for properties within the "Inside Boundary" and at a rate of 0.1280 per thousand of assessed value for properties in the "Outside Boundary" and that**

**we impose these taxes and categorize them for the tax year 2015-2016 on all the taxable properties within the district. Skirvin seconded. Unanimous in favor.**

Resolution 2015-05

Imposing the Tax and Categorizing the Levy

Be it resolved that the Board of Directors of the Devils Lake Water Improvement District hereby imposes the taxes provided by in the adopted budget at the rate of .2499 per thousand of assessed value for properties within the “Inside Boundary” and at a rate of .1280 per thousand of assessed value for properties in the “Outside Boundary”; and that these taxes are hereby imposed and categorized for the tax year 2015-2016 on all taxable properties within the district.

**IV. COMMENTS from CITIZENS on NON-AGENDA ITEMS**

**(Video: 16:40)**

Green outlined the public comment policy. Comments were limited to 5 minutes apiece.

No speakers came forward.

**V. UNFINISHED BUSINESS**

**a. The Devils Lake Plan**

**i. Septic/Sewer**

SEE STAFF REPORT re: county to provide buildable lands inventory by July 1; status of proposed Urban Growth Management Agreement; city talking about budgeting for sewer, joining with county, creating a large LID, looking at potential financing.

GREEN: Provided update on Voyage LID, which will be on City Council agenda on Monday; explained complicated financing, bonding, assessment and hearing process; property owners can pay an expected \$8,000 per property in lump sum or over 20 years at about \$42 per month.

**ii. Save our Shoreline (SOS)**

SEE STAFF REPORT: re: no update

**iii. Vegetation Management**

SEE STAFF REPORT re: no update

**b. Communications Report**

**(Video: 22:58)**

SEE STAFF REPORT re: strategies for public outreach (Internet, Channel 4, social media (YouTube, Facebook), AM radio 1610 broadcasts, radio interviews, Clearwater E-Newsletter, 100 Years on the Lake presentations, Know Your Lake column ad in News Guard).

ROBERTSON, At direction of Board, Lake Manager hired a vendor, Belinda Goody of Fest-Eval for \$6,000 to run the Devils Lake Revival on July 18, 2015. An additional \$3,000 is budgeted for prizes, permits, music, advertising, T-shirts, etc. No pontoon boats available this

year because of insurance issues. District looking for volunteers to provide boats, possibly for a fee. District could rent its own pontoon boat.

A new mobile app has been created for the website. Most web traffic is from mobile.

Standardized office hours have been scheduled. Office gets about one visitor a month. Office will be staffed 2-5 pm Tuesdays and Thursdays for drop-in traffic.

**c. Safety Report**

SEE STAFF REPORT re: no incidents or updates.

**d. MidCoast TMDL**

SEE STAFF REPORT re: public meeting in July

**e. East Devils Lake Road**

**(Video 30:45)**

SEE STAFF REPORT re: Oregon Solutions organized Stakeholder group meeting in May at Oregon Coast Community College in Lincoln City. Facilitation cost estimated at \$15,000. Robertson advised that it might be prudent for DLWID to contribute \$5,000 with maybe the city and county contributing the rest in order to have a voice in a solution to road flooding. The money for facilitation helps Stakeholders connect with the agencies (Department of State Lands, Department of Environmental Quality, Corps of Army Engineers) that will find a solution.

SKIRVIN: We've already heard proposed solutions. What will we get beyond what we already know?

Board discussed pros and cons and timing of proposed solution.

ROBERTSON: Early proposals recommended by engineering have not been run through all the agencies. This facilitation would get the agencies to review and come up with a proposal. Next step would be for Oregon Solutions to come up with a proposal, probably in July.

**f. Harmful Algal Blooms**

**(Video 37:40)**

SEE STAFF REPORT re: status of proposed contract with Dr. Alex Horne. Robertson noted that Horne proposal would include the use of a diffuser that has been patented by Dr. O'Hara, whom Horne has asked to participate in the project. Robertson said that having the project designed by a world-renowned engineer would enhance the project's standing with funding entities.

Board discussed options, prospect for effects of aeration on algae. Noted that Horne has been studying lake to determine likelihood of designing a successful system.

**g. Replacement of the Water Impound Device (the dam)**

**(Video 49:10)**

NORRIS: Discussed letter from Dr. Harold Pritchett, hydraulic engineer from Oregon State, who said he does not think removing the concrete dam structure would generate enough water

flow to remove existing sand build-up. Therefore other issues (such as sea gull excrement) would not be resolved.

Board discussed next step. Talked about sending Pritchett opinion to hydrologists Ellingson and Eilers, who support dam removal, in order to get their reaction to the Pritchett letter.

## **V. NEW BUSINESS**

**(Video 54:07)**

### **A. Water Quality**

ROBERTSON: Testing has started. Low level of microcystis bloom starting, but with sunshine and little wind, the algae could grow quickly. *E. coli* monitoring shows normal levels, with elevated count at Thompson Creek.

Board discussed Army Corps of Engineers discontinuing bacteria monitoring.

### **B. Contracts**

SEE STAFF REPORT for details of contracts that are up for renewal.

Lake Manager: Weldon noted some typographical errors. Skirvin suggested changing health benefit language to say allocated amount rather than a specific dollar amount.

**Skirvin moved to approve Lake Manager's contract for 2015-2016 with proposed changes. Weldon seconded. Unanimous vote in favor.**

Lake Contractor: Board discussed potential conflict of interest since the lake contractor, Bill Sexton, has been elected to the Board. Sexton will have to remove himself from voting on issues affecting his work. Skirvin said he is concerned about a situation where Sexton would be the Lake Manager's boss while the Lake Manager is the lake contractor's boss. Board discussed options, including giving contractor a 90-day extension to get through the summer and then consider putting the position out to bid. Green suggested renewing the contract for a year with a proviso of reviewing at 90 days. If a conflict is seen as a problem, then Board could give a 30-days' termination notice.

Board consensus was that Sexton's work has been excellent, that Sexton should be asked whether he is comfortable with a 120-day contract before putting a new contract out to bid.

Legal Services: Proposed a \$10 an hour increase to \$170 an hour.

**Skirvin moved to approve the contract for legal services. Norris seconded. Unanimous vote in favor.**

Payroll Specialist: Contract unchanged.

**Green moved to approve the payroll specialist contract. Skirvin seconded. Unanimous vote in favor.**

Recorder: Contract unchanged.

**Green moved to approve the recorder contract. Weldon seconded. Unanimous vote in favor.**

## **VI. NON-AGENDA ITEMS**

NORRIS: Asked to move the next meeting to July 1 or 2 because he and newly elected members Tina French and Bill Sexton have conflicts with July 9. Board agreed to change date.

## **VII. ADDITIONAL COMMENTS from CITIZENS on NON-AGENDA ITEMS**

**(Video: 1:23:00)**

**PAT DOOLING, 4799 NE East Devils Lake Road, Otis:** Complained about Skirvin letter to the editor impugning honesty and integrity of Mitchell Moore. Dooling wrote a scathing letter in response, but he put it away. He asked Skirvin to apologize.

## **VIII. BOARD COMMENTS AND ANNOUNCEMENTS**

GREEN: Thanked Randy Weldon for 6 years of service to Board. This is the last meeting of his term. He has been inspirational. He first came to the Board as a citizen concerned about erosion. He opened the eyes of the Board to problems caused by a high lake level. His work led to the life jacket loaner station.

ROBERTSON: Echoed thanks to Weldon and to Kip Ward, who will also be missed. Green added his thanks to Ward.

SKIRVIN: Added thanks to Weldon and Ward. Sorry that people took offense to comments made during election, but looking forward to new Board.

NORRIS: Thanks to Kip and Randy. Our goals are the same; we just have a different perspective.

## **IX. ADJOURNMENT**

Green adjourned the meeting at 7:30 p.m.

The next regularly scheduled board meeting will be July 2, 2015, at 6:00 p.m.

| Respectfully submitted,  
Rick Mark